



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.

LISA M. DIROCCO
HATHAWAY P. RUSSELL *
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUIHOON LEE **

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT
JEANNE M. DIGIORGIO
CYNTHIA L. KANIK, Ph.D.

PATENT AGENTS
THEODORE R. WEST
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
JONATHAN M. SPARKS, Ph.D.

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
JACOB G. WEINTRAUB
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.
DEBORAH L. NAGLE, Ph.D.
ANDRINA WILLIAMS ZINK
A. JACQUELINE NOWAK, Ph.D.

* Admitted in TX only
** Admitted in CT only

June 17, 2003

Mailstop: Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Continuation-in-Part Patent Application Serial No. 09/972,772
Title: *"Therapeutic Agents and Methods of Use Thereof for
the Modulation of Angiogenesis"*
Inventors: Gary L. Olson *et al.*
Filing Date: October 5, 2001
Attorney Docket No. PPI-106CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Preliminary Amendment;
3. Transmittal Letter for Diskette Containing Sequence Listing;
4. Diskette Containing Computer Readable Form of Substitute Sequence Listing;
5. Paper Copy of Substitute Sequence Listing;
6. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
7. Request for Two-Month Extension of Time; and
8. Prepaid acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

"Express Mail" mailing label number EV 244 880 034 US

Date of Deposit June 17, 2003

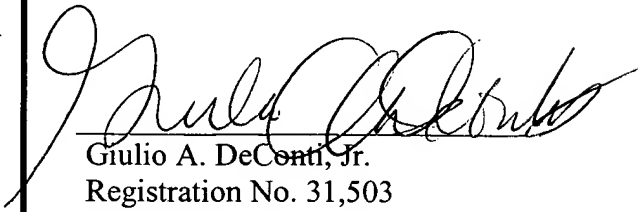
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mailstop: Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature

Giulio A. DeConti, Jr. Registration No. 31,503

Please Print Name of Person Signing

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Giulio A. DeConti, Jr.
Registration No. 31,503
Attorney for Applicant



9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Gary L. Olson *et al.*

Serial No.: 09/972,772

FILED: OCTOBER 5, 2001

FOR: *Therapeutic Agents and Methods of Use
Thereof for the Modulation of Angiogenesis*

Attorney Docket No.: PPI-106CP

Group Art Unit: 1653

Examiner: Not Yet Assigned

Mailstop: Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR DISKETTE CONTAINING SEQUENCE LISTING

Dear Sir:

Enclosed is a diskette which contains a computer readable form of the Sequence Listing for the above-referenced patent application. The Sequence Listing complies with the requirements of 37 C.F.R. § 1.821. The material on this diskette is identical in substance to the paper copy of the Sequence Listing (pages 1-11) which is submitted herewith, as required by 37 CFR §1.821(f). The computer readable form of the Sequence Listing contained on the enclosed diskette is understood to comply with the requirements of § 1.824.

"Express Mail" mailing label number EV 244 880 034 US
Date of Deposit June 17, 2003
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mailstop: Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Signature Giulio A. DeConti, Jr.
Giulio A. DeConti, Jr., Registration No. 31,503
Please Print Name of Person Signing

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Giulio A. DeConti, Jr.
Registration No. 31,503
Attorney for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Gary L. Olson *et al.*

Serial No.: 09/972,772

Filed: October 5, 2001

FOR: *Therapeutic Agents and Methods of Use
Thereof for the Modulation of Angiogenesis*

Attorney Docket No.: PPI-106CP

Group Art Unit: 1653

Examiner: Not Yet Assigned

Mailstop: Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

"Express Mail" Mailing Label Number EV 244 880 034 US

Date of Deposit June 17, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:
Mailstop: Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Giulio A. DeConti, Jr., Registration No. 31,503

Please Print Name of Person Signing

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Dear Sir:

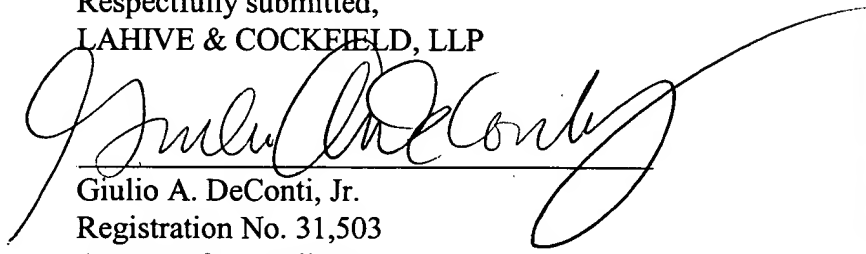
In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed from the U.S. Patent and Trademark Office April 1, 2003, we enclose a diskette which contains a Sequence Listing in computer readable form as required by 37 C.F.R. 1.821(e).

Also enclosed is a paper copy of the Sequence Listing and a statement that the content of the Sequence Listing appearing on pages 1-11 and the computer readable copy are the same as required under 37 C.F.R. 1.821(f). A copy of the Notice to Comply with Requirements for

Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures is also enclosed herewith.

Immediately after the Abstract, please insert the hard (paper) copy of the substitute Sequence Listing, numbered pages 1-11, submitted herewith. No new matter has been added.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

A large, stylized handwritten signature in black ink, appearing to read 'Giulio A. DeConti, Jr.', is written over a horizontal line.

Giulio A. DeConti, Jr.
Registration No. 31,503
Attorney for Applicants

28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: **June 17, 2003**



UNITED STATES
PATENT AND
TRADEMARK OFFICE

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/001,945	11/01/2001	Gary L. Olson	PPI-106CP2

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 9920

FORMALITIES LETTER



OC00000009741859

Date Mailed: 04/01/2003

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: The Office Of Initial Patent Examination.

See the attachment.

Applicant Must Provide as part of the response:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

NU

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE